

PATENT APPLICATION
Mo-6466
LeA 34,706

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
ALEXANDER KLAUSENER ET AL) GROUP NO.: 1626
SERIAL NUMBER: 09/899,421) EXAMINER: G.M. SHAMEEM
FILED: JULY 5, 2001)
TITLE: PROCESS FOR PREPARING 2-ALKYL-)
3-ARYL- AND -HETEROARYLOXA-)
ZIRIDINES, AND NOVEL 2-ALKYL-)
3-ARYLOXAZIRIDINES)

OFFICIAL

RESPONSE

Commissioner for Patents
Alexandria, VA 22313-1450
Sir:

In response to the Office Action dated March 25, 2003, Applicants submit the following remarks crystallizing the issues in the case for appeal. A separate Petition for Extension of Time is being filed simultaneously herewith such that this Response will be considered timely filed.

In particular, Applicants seek to clarify an issue of law relating to the legal concept of prima facie obviousness, pursuant to which the Examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness.

More specifically, Applicants seek to clarify the issue of whether the Examiner can dismiss Applicants arguments relating to lack of prima facie obviousness as speculative and thus require Applicants to initially assume the burden of proving lack of prima facie obviousness.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Godfried R. Akorli, Reg. No. 28,779
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September 25, 2003
Date